

UNITED STATES OF AMERICA :
 :
 v. : Crim. No. 21-487 (RBK)
 :
 JOSEPH GEROMINI : **ORDER FOR A CONTINUANCE**

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Patrick C. Askin and Ashley Super Pitts, Assistant United States Attorneys appearing), and defendant Joseph Geromini (by Charles L. Kreindler, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter from September 21, 2023 through December 7, 2023 to permit defense counsel the reasonable time necessary for effective preparation in this matter; to allow the parties to discuss the matter and conduct plea negotiations in an effort to resolve the case before trial; and to allow the defendant to enter a guilty plea before the Court; and the defendant being aware that he has the right to have the matter commence to trial within 70 days from the filing date (and making public) of the indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs pursuant to Title 18, United States Code, Section 3161(c)(1); and eleven prior continuances having been entered by the Court; and the defendant, through his attorney, having consented to the continuance; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement and for defendant to enter a guilty plea at a plea hearing to be scheduled by the Court, which would render a trial in this matter unnecessary;

(2) On September 21, 2023, the Court held a telephone status conference with counsel for the parties. The government's counsel and counsel for the defendant, Charles Kreindler, Esquire, informed the Court that the parties were still actively engaged in plea negotiations and asked the Court for a few more weeks to attempt to complete the plea negotiations. The Court granted the joint request of the parties and scheduled another telephone status conference for October 30, 2023.

(3) During the September 21, 2023 status conference, the government's counsel made an oral motion for a ends-of-justice continuance, which was unopposed by the defendant. The motion for exclusion of time was granted by the Court. The government's counsel was directed to prepare and submit a proposed order.

(4) On October 30, 2023, the parties, through counsel, informed the Court that they had reached a plea agreement and asked the Court to schedule a plea hearing in December 2023, considering the availability of counsel for each of the parties and the Court's current trial schedule. Based on the

representations of counsel for each of the parties, the Court canceled the telephone status conference on October 30, 2023.

(5) A plea hearing in this case has now been scheduled for December 7, 2023, at 4:30 p.m.

(6) The parties jointly request that the Court enter an ends-of-justice speedy trial continuance order, which will exclude the time frame from September 21, 2023 through December 7, 2023. This continuance is necessary in order for the defendant to be able to enter a guilty plea in this case in the time provided under the Speedy Trial Act.

(7) The failure to grant such a continuance would deny counsel for the defendant and the attorney for the government the reasonable time necessary for effective preparation and proper handling of this case, taking into account the exercise of due diligence;

(8) The defendant has consented to the aforementioned continuance;

(9) The grant of a continuance will likely conserve judicial resources;
and

(10) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 3^d day of November, 2023;

ORDERED that this action be, and it hereby is, continued from September 21, 2023 through December 7, 2023; and it is further

ORDERED that the period from September 21, 2023 through December 7, 2023 shall be excludable in computing time under the Speedy Trial Act of 1974.

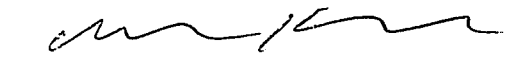


HON. ROBERT B. KUGLER
Senior United States District Judge

Form and entry consented to:

/s/Patrick C. Askin

Patrick C. Askin
Ashley Super Pitts
Assistant United States Attorneys



Charles L. Kreindler, Esq.
Counsel for Defendant Joseph Geromini